

WEDNESDAY, FEBRUARY 13, 1991

NINTH LEGISLATIVE DAY

The House met at 1:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Rev. Ron Jordan, Hermitage Nazarene Church, Hermitage, Tennessee.

Representative Ben West, Jr., led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 97

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Jackson; due to a commitment in the district

Representative Tullos; due to illness.

REPORTS FROM STANDING COMMITTEES

GOVERNMENT OPERATIONS COMMITTEE

February 12, 1991

MR. SPEAKER: Your Government Operations Committee reports that

WEDNESDAY, FEBRUARY 13, 1991 -- NINTH LEGISLATIVE DAY

we have carefully considered and recommend for passage: House Bill(s) No(s). 161, 238, 250, 257 and 330.

KING, Chair.

Under the rules, House Bill(s) No(s). 161, 238, 250, 257 and 330 was/were transmitted to the Calendar and Rules Committee.

**TRANSPORTATION COMMITTEE
February 12, 1991**

MR. SPEAKER: Your Transportation Committee reports that we have carefully considered and recommend for passage: House Bill(s) No(s). 37 and 64; for passage if amended: House Bill(s) No(s). 168; for adoption: House Joint Resolution(s) No(s). 2 and 25.

ROBB ROBINSON, Chair.

Under the rules, House Bill(s) No(s). 37, 64 and 168 with amendment; also, House Joint Resolution(s) No(s). 2 and 25; was/were transmitted to the Calendar and Rules Committee.

**HEALTH AND HUMAN RESOURCES COMMITTEE
February 13, 1991**

MR. SPEAKER: Your Health and Human Resources Committee reports that we have carefully considered and recommend for passage: House Bill(s) No(s). 52.

DIXON, Chair.

Under the rules, House Bill(s) No(s). 52 was/were transmitted to the Calendar and Rules Committee.

**ENROLLED BILLS
February 12, 1991**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolution(s) No(s). 29, 30, 31, 32, 37, 39, 40, 42, 43, 44, 54 and 75; also, House Resolution(s) No(s). 4; and find same correctly enrolled and ready for the signature(s) of the Speaker(s).

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE
February 12, 1991**

MR. SPEAKER: I am directed to return to the House, House Joint

WEDNESDAY, FEBRUARY 13, 1991 -- NINTH LEGISLATIVE DAY

Resolution(s) No(s). 24 and 26; signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

**MESSAGE FROM THE SENATE
February 12, 1991**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 52, 53, 55, 58, 60, 71 and 81; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

**MESSAGE FROM THE SENATE
February 12, 1991**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 352; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

**SIGNED
February 12, 1991**

The Speaker announced that he had signed the following: Senate Bill(s) No(s). 352; also, Senate Joint Resolution(s) No(s). 52, 53, 55, 58, 60, 71 and 81.

**SIGNED
February 12, 1991**

The Speaker announced that he had signed the following: House Joint Resolution(s) No(s). 29, 30, 31, 32, 37, 39, 40, 42, 43, 44, 54 and 75; also, House Resolution(s) No(s). 4.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

PRESENT IN CHAMBER

Representative Jackson was recorded as being present in the Chamber.

WEDNESDAY, FEBRUARY 13, 1991 -- NINTH LEGISLATIVE DAY

RECESS MOTION

Rep. Purcell moved that, pursuant to Senate Joint Resolution No. 81, the House stand in recess to meet with the Senate in Joint Convention for an address by the Governor at 1:30 p.m., after which the House would reconvene to conduct business.

WEDNESDAY, FEBRUARY 13, 1991 -- NINTH LEGISLATIVE DAY

WEDNESDAY, FEBRUARY 13, 1991

IN JOINT CONVENTION

MESSAGE OF GOVERNOR

The hour having arrived, set by Senate Joint Resolution No. 81, the Senate met with the House in Joint Convention.

The Joint Convention was called to order by Mr. Speaker Wilder, President of the Joint Convention.

On motion of Senator Darnell, the roll call of the Senate was dispensed with.

On motion of Representative Purcell, the roll call of the House was dispensed with.

Thereupon, the Clerk of the Senate read Senate Joint Resolution No. 81 authorizing the Joint Convention.

On motion, Senate Darnell moved that the President appoint a Committee composed of six (6) members from the Senate and six (6) members from the House to notify the Governor that the Joint Convention was in session and awaited his arrival, which motion prevailed.

Mr. President Wilder appointed a Select Committee composed of Senators Burks, Cooper, Hicks, Lawson, Montgomery and Womack; Representatives Anderson, Garrett, Hassell, Turner (Hamilton), Turner (Shelby), and Wix. Senator Hicks was appointed to serve as Chairman of this Committee.

Without objection, the Joint Convention recessed pending the arrival of the Governor.

The Joint Convention was called to order by President Wilder.

Without objection, the roll calls of the Senate and House were dispensed with.

Senator Hicks announced the Governor of the State of Tennessee at the entrance to the House.

President Wilder asked the committee to escort the Governor to please come forward.

President Wilder introduced the Honorable Ned McWherter, Governor of the State of Tennessee.

WEDNESDAY, FEBRUARY 13, 1991 -- NINTH LEGISLATIVE DAY

ADDRESS TO JOINT CONVENTION

Governor Wilder, Speaker Naifeh, members of the General Assembly, Fellow Tennesseans.

I've come here today for one simple reason. I've come to this chamber because of the 132 decision makers in this audience.

Governors don't vote. Governors can't pass a thing. Governors can't put a bill on notice, they can't vote in committees and they can't even come in this chamber without a special invitation from the decision makers.

I've come because I need your help. I've come on behalf of the 860,000 plus boys and girls throughout this state who need a better education. And I've come on behalf of the tens of thousands of Tennesseans who are paying more than their fair share of taxes.

I've come to ask you to consider legislation that will bring Tennessee's school system to the head of the class. And I've come to ask you to reform Tennessee's tax structure to make it fair.

Two weeks ago I talked to you in detail about the 21st Century Classroom. That legislation has been introduced, and I hope you will carefully study it in the coming weeks.

My responsibility today is to propose the fairest way for this legislature and the people of Tennessee to fund these improvements.

Many of you will have more than a passing interest in what I propose because fifty-five members of the Legislature represent sixty-four counties that have filed suit on behalf of school systems that are seriously underfunded.

Today I stand in the well to state in simple terms what we need to do for the future of Tennessee.

What Tennesseans want are the basic things desperately needed to make our schools competitive and our communities able to attract new jobs.

They understand that a 21st Century Classroom will need up-to-date textbooks and computers. And they understand that our teachers -- especially in the early grades -- need smaller classes to be effective.

I am presenting today to the Legislature a funding plan that would pay, in a conservative and responsible way, for the improvements needed in our schools.

I directed that the plan be developed with the following conditions:

1. All new funds will go directly into the classroom. There

WEDNESDAY, FEBRUARY 13, 1991 -- NINTH LEGISLATIVE DAY

will be no additional funds for new administrative positions at either the state or local level.

2. The funds will be given to school systems only after they are prepared to use them responsibly. Too much money too fast is an invitation to waste.
3. All new funds will be divided fairly. The state will pay 70 percent of the cost of the Basic Education Program. Local governments will pay 30 percent. Counties without an adequate tax base to pay their share will be assisted by the state. But in no case will any school system be required to pay more than 30 percent of the cost.

Over the last three months, I have directed my staff to bring forward every reasonable funding option. To each option I applied two tests: Is it adequate? And is it fair?

Many Tennesseans, and many members of the General Assembly, support the establishment of a state lottery to generate additional revenues. If a majority of the House and Senate members desire a lottery, I will not offer opposition.

But I will strongly oppose the notion that a lottery would provide a stable source of funding for our schools. Under the most optimistic projections, a lottery would generate only 10 to 15 percent of the funds required to build a 21st Century Classroom.

Put simply, lottery revenues are not adequate for our needs.

I have similar problems with increasing property taxes. Current property taxes are too high. Raising them again would only do damage to those who can least afford to pay, and to local governments that depend on these taxes for their base of revenues.

If not a lottery or a property tax, then why not raise the sales tax?

We could raise the state sales tax that is already the highest in the South. Some have suggested that the state take over a portion of the local sales tax. Others argue that the sales tax should be extended to more goods and services. Of course, the tax would be passed along to the price of the product or service.

Any of these proposals would adequately fund our schools. But I ask each of you to look into your hearts and ask a single question. The question has nothing to do with being a Democrat or Republican. It has nothing to do with being urban or rural.

It is a basic question of whether our tax system is fair to the working men and women of Tennessee.

The best way I know to explain what fairness means to me is with a personal example.

WEDNESDAY, FEBRUARY 13, 1991 -- NINTH LEGISLATIVE DAY

In 1986, I needed to put my assets in trust.

I hired a lawyer to give me advice on my taxes. The lawyer suggested I also hire a financial consultant. The accountant suggested that I acquire a limited partnership that was advertised in the local papers.

We all met the broker for lunch at a private country club, where the lunch was deductible.

They suggested that I borrow money from a savings and loan to purchase the limited partnership. Looking back on all these transactions, they make a clear statement about our tax system in Tennessee.

None of these persons involved -- the lawyer, the accountant, the broker, the savings and loan, and Ned McWherter -- paid any state tax on this transaction.

Imagine for a moment that we were starting over and designing a new tax system for Tennessee. If fairness meant anything, there is not a man or woman in this Legislature who would vote for the tax system we have today.

Ask yourself: Is it fair for the wife of a PFC in Saudia Arabia with four children to pay eight percent tax every time she buys formula for her baby?

Is it fair for our elderly on fixed incomes to be taxed because they try to keep warm in the winter?

Is our tax system fair to the young couple making \$25,000 who are trying to scrape together enough money to buy a home?

How many of you would defend the fairness of the current six percent Hall Income Tax on dividends and interest that distributes 40 percent back to the area where it was collected?

Under this system, Hancock County receives 20 cents per capita, Nashville receives \$11.31 per capita and the city of Belle Meade receives \$431.70 per capita.

If we were starting over, would we design a system that taxed cars but not tractors? Would we vote to tax the local dry cleaner and grocer but not the lawyer or doctor?

Like many of you, I have struggled to avoid the obvious answer. I have argued with my staff. I have sought the advice of Bill Snodgrass and Don Morton.

I have challenged the numbers from every possible perspective with Commissioner Manning and Commissioner Huddleston. In the end, there is but one conclusion.

WEDNESDAY, FEBRUARY 13, 1991 -- NINTH LEGISLATIVE DAY

If we choose to do what is fair, and to do what is best for the future of Tennessee, then tax reform is the road we must travel.

Today the Administration will file legislation that would totally reform Tennessee's outdated and unfair tax system. It would bring the following changes: remove all taxes from food. Remove all taxes from the residential use of water. Reduce the state sales tax on all other items from five and a half percent to four percent. Remove the six percent Hall Income Tax on dividends and interest. Lower the franchise tax on business by 20 percent. Lower the property taxes for the elderly.

These reductions would be replaced by a four percent flat rate tax on adjusted gross income. I will propose this session a constitutional amendment to cap that rate at four percent.

More than \$290 million in new revenues would come from the ability to deduct taxes that now go to Washington instead of Tennessee. Another \$60 million would be collected from persons who work in Tennessee but pay their taxes to support schools in other states.

Under the proposal for tax reform, a family of four making less than \$28,000 would pay no state income tax at all. The proposal is designed so that total state taxes would be reduced for every family of four making less than \$36,000. The four percent rate would be the lowest among eleven southern states. And a majority of households would pay less tax than they do today.

With the permission of the Speakers, I would like to direct my Finance Commissioner, David Manning, to provide the Legislature with the details of the Administration's tax reform proposal.

(Manning Presentation)

Thank you for your time and attention and let me close by saying, it's taken me a long time to get to the point I am today. I don't expect any of you to come to the same conclusions I've come to overnight. I understand the legislative process. I understand there will be give and take, and a lively exchange of ideas of what is fair and what is best.

The people of Tennessee deserve a full and open debate on these issues. They need to know that you can make a decision here that will cut taxes for a majority of Tennesseans. They need to know that you can make a decision here that will truly make a difference for the children of Tennessee.

Ladies and gentlemen, I've had a lot to say here today about education and taxes. Let me be very basic, the most important blackboard in the State of Tennessee is not in any classroom, in any school system, in any county. The most important blackboard in the State of Tennessee is the one over there and the one like it in the Senate.

WEDNESDAY, FEBRUARY 13, 1991 -- NINTH LEGISLATIVE DAY

The children of Tennessee need a passing grade on that blackboard and together we can make it happen.

Thank you.

Mr. President Wilder relinquished the Chair to Mr. Speaker Naifeh, as President of the Joint Convention.

The purpose for which the Joint Convention was called having been accomplished, Mr. President Naifeh declared the Joint Convention dissolved.

WEDNESDAY, FEBRUARY 13, 1991 -- NINTH LEGISLATIVE DAY

RECESS EXPIRED

The recess having expired, the House was called to order by Mr. Speaker Naifeh.

On motion, the roll call was dispensed with.

RULES SUSPENDED

Rep. Hillis moved that the rules be suspended to allow Commissioner W. D. Manning, Commissioner, Dept. of Veterans Affairs, and former Representative Ralph Yelton to come to the well for the purpose of recognizing Mr. Yelton, which motion prevailed.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. Purcell moved to suspend Rule No. 44 on prefiling, so that all bills filed tomorrow will be considered introduced and passed first consideration, which motion prevailed.

RULES SUSPENDED

Rep. Arriola moved that the rules be suspended for the purpose of introducing House Resolution No. 5 out of order, which motion prevailed.

House Resolution No. 0005 -- Memorials, Personal Occasion -- Representative Carol Chumney, 30th birthday. by *Arriola.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Arriola, with the request that all members voting aye be added as sponsors, the resolution was adopted by the following vote:

Ayes.	94
Noes.	0
Present and not voting.	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom,

WEDNESDAY, FEBRUARY 13, 1991 -- NINTH LEGISLATIVE DAY

Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

Representatives present and not voting were: Chumney -- 1.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Johnson moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 87 out of order, which motion prevailed.

House Joint Resolution No. 0087 -- Memorials, Personal Occasion -- Frank Wray Johnson and Bessie Mae Hipsher, 40th wedding anniversary. by *Johnson.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Johnson, the resolution was adopted.

A motion to reconsider was tabled.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 52: Rep(s). Harrill as prime sponsor(s).

House Bill No. 148: Rep(s). Collier, Cross and Napier as prime sponsor(s).

House Bill No. 449: Rep(s). Buck as prime sponsor(s).

House Bill No. 757: Rep(s). Bell as prime sponsor(s).

House Bill No. 784: Rep(s). Chiles and Phillips as prime sponsor(s).

House Bill No. 789: Rep(s). Tindle as prime sponsor(s).

House Bill No. 832: Rep(s). Pinion as prime sponsor(s).

House Bill No. 929: Rep(s). Walley as prime sponsor(s).

WEDNESDAY, FEBRUARY 13, 1991 -- NINTH LEGISLATIVE DAY

House Joint Resolution No. 25: Rep(s). Buck, Crain, Fowkles, Haley, Hassell, Head, Meyer, Napier, Rigsby, Rinks and Venable as prime sponsor(s).

INTRODUCTION OF RESOLUTIONS

On motion, the resolution(s) listed was/were introduced and referred as noted:

House Resolution No. 0003 -- Memorials, Public Service -- Judy Lindsay, Community Citizen Award. by *Hill.

Referred by the Speaker to the Calendar and Rules Committee.

House Joint Resolution No. 0072 -- Memorials, Sports -- Jack Martin, Tennessee Sports Hall of Fame. by *Kisber.

Referred by the Speaker to the Calendar and Rules Committee.

House Joint Resolution No. 0073 -- Memorials, Sports -- Tom Fann, Tennessee Sports Hall of Fame. by *Kisber.

Referred by the Speaker to the Calendar and Rules Committee.

House Joint Resolution No. 0076 -- Memorials, Retirement -- Peter H. Cohen. by *Coffey.

Referred by the Speaker to the Calendar and Rules Committee.

***House Joint Resolution No. 0077** -- Constitutional Amendments -- Proposes amendment to place limits on sales tax increases. by *Kernell.

Referred by the Speaker to the State and Local Government Committee.

House Joint Resolution No. 0078 -- Memorials, Sports -- Brentwood Civitan girls' softball team. by *Callicott.

Referred by the Speaker to the Calendar and Rules Committee.

House Joint Resolution No. 0079 -- General Assembly, Statement of Intent or Position -- Urges manufacturers of motor vehicles to install inside trunk latches. by *Crain.

Referred by the Speaker to the Consumer and Employee Affairs Committee.

House Joint Resolution No. 0080 -- Naming and Designating -- National Community College Month, February. by *Turner L, *Jones R, *Byrd, *Bivens, *Chumney, *Nuber, *Haley, *Dixon.

Referred by the Speaker to the Calendar and Rules Committee.

WEDNESDAY, FEBRUARY 13, 1991 -- NINTH LEGISLATIVE DAY

***House Joint Resolution No. 0081** -- Memorials, Government Officials -- Directs department of revenue to study tax collection procedures. by *Williams K.

Referred by the Speaker to the State and Local Government Committee.

***House Joint Resolution No. 0082** -- Highway Signs -- Ralph Yelton Bridge, Fall Creek Road in Sullivan County. by *Venable, *Hubbard, *Holcomb.

Referred by the Speaker to the Transportation Committee.

***House Joint Resolution No. 0083** -- Memorials, Government Officials -- Urges Department of Transportation to provide interchange for Peytonsville on I-840. by *Callicott.

Referred by the Speaker to the Transportation Committee.

House Joint Resolution No. 0084 -- Memorials, Sports -- Franklin High School soccer team, state champions. by *Callicott.

Referred by the Speaker to the Calendar and Rules Committee.

***House Joint Resolution No. 0085** -- General Assembly, Studies -- Creates joint study committee relative to subsurface sewage disposal systems. by *Callicott, *Niceley.

Referred by the Speaker to the Conservation and Environment Committee.

***House Joint Resolution No. 0086** -- Highway Signs -- Palma L. Robinson Memorial Highway, S.R. 354. by *Allen.

Referred by the Speaker to the Transportation Committee.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

On motion, the resolutions listed were referred as noted:

Senate Joint Resolution No. 0079 -- Memorials, Public Service -- Joyce Holt.

Referred by the Speaker to the Calendar and Rules Committee.

Senate Joint Resolution No. 0082 -- Memorials, Death -- Danny Thomas.

Referred by the Speaker to the Calendar and Rules Committee.

Senate Joint Resolution No. 0083 -- Memorials, Sports -- Trousedale County High School football team, Class C state champions.

WEDNESDAY, FEBRUARY 13, 1991 -- NINTH LEGISLATIVE DAY

Referred by the Speaker to the Calendar and Rules Committee.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

***House Bill No. 0924** -- Insurance, Health, Accident -- Enacts "Small Business Health Care Act". Amends TCA, Title 56. by *Jackson.

Passed first consideration.

***House Bill No. 0925** -- Gas, Petroleum Products, Volatile Oils -- Defines certain not-for-profit corporations as agencies for certain purposes. Amends TCA, Title 67, Ch. 3. by *Jackson.

Passed first consideration.

House Bill No. 0926 -- Physicians and Surgeons -- Authorizes board of medical examiners to issue reciprocity licenses to certain physicians who qualify as distinguished professors. Amends TCA 63-6-211. by *Jackson.

Passed first consideration.

***House Bill No. 0927** -- Criminal Procedure -- Revises post-conviction relief procedures. Amends TCA, Title 40, Ch. 30, Pt. 1. by *Jackson.

Passed first consideration.

House Bill No. 0928 -- Pikeville -- Revises salaries, terms of office for mayor and aldermen. Amends Chapter 574, Private Acts of 1939. by *Rhinehart.

Passed first consideration.

House Bill No. 0929 -- Human Rights -- Prohibits discrimination against temporary employees based upon categorical status. Amends TCA, Title 4, Ch. 21. by *Kisber, *Givens.

Passed first consideration.

***House Bill No. 0930** -- Holidays -- Establishes Martin Luther King, Jr. task force. Amends TCA, Title 4. by *Jones R.

Passed first consideration.

House Bill No. 0931 -- District Attorneys -- Creates additional assistant district attorney general position for 18th judicial district. Amends TCA 16-2-506. by *Stamps, *Wix.

Passed first consideration.

WEDNESDAY, FEBRUARY 13, 1991 -- NINTH LEGISLATIVE DAY

House Bill No. 0932 -- District Attorneys -- Authorizes additional assistant district attorney general position for 30th judicial district. Amends TCA 16-2-506. by *Chumney, *Kent, *Williams K, *Nuber.

Passed first consideration.

House Bill No. 0933 -- Police -- Prohibits on-duty political activity by law enforcement officer; prohibits restrictions on such activity when off-duty. Amends TCA, Title 38, Ch. 8, Pt. 3. by *Huskey, *Byrd, *Peroulas Draper, *Shirley, *Johnson, *McDaniel, *Cole, *Givens, *Robinson C B, *Hargrove, *Sipes, Williams K, West, Pinion, Walley, Meyer, Ridgeway, Hassell, Duer, Moore, Jackson, Kent, Bittle, Stamps, Holcomb, Callicott, Davis R E.

Passed first consideration.

House Bill No. 0934 -- District Attorneys -- Authorizes district attorney to appoint certain other attorneys to conduct certain specific proceedings. Amends TCA 8-7-106. by *Buck, *Herron, *Byrd, *Purcell.

Passed first consideration.

***House Bill No. 0935** -- Public Officials -- Provides procedure for removal of certain government officials. Amends TCA, Title 8, Ch. 47. by *Buck, *Kisber, *Byrd, *Herron, *Clark, *Hargrove, *Purcell.

Passed first consideration.

House Bill No. 0936 -- Appeal and Review -- Specifies rules of appellate procedure applicable to appeals from claims commission. Amends TCA, Title 8, Ch. 42; Title 9, Ch. 8. by *Buck.

Passed first consideration.

House Bill No. 0937 -- Attorney General and Reporter -- Authorizes disclosure of certain securities and investment information to certain regulatory and enforcement authorities. Amends TCA 45-2-1603, 45-2-1717. by *Buck.

Passed first consideration.

***House Bill No. 0938** -- Game and Fish Laws -- Allows Vietnam veterans to obtain sport fishing and hunting licenses without payment. Amends TCA 70-2-104. by *Whitson.

Passed first consideration.

House Bill No. 0939 -- Real Estate Agents and Brokers -- Deletes requirement that real estate firms have errors and omissions insurance; earmarks funds received by commission. Amends TCA 62-13-112, 62-13-308. by *Byrd, *Anderson.

WEDNESDAY, FEBRUARY 13, 1991 -- NINTH LEGISLATIVE DAY

Passed first consideration.

***House Bill No. 0940** -- Culture -- Decreases period for determination of abandoned cultural property. Amends TCA 66-29-202. by *Chiles.

Passed first consideration.

***House Bill No. 0941** -- Game and Fish Laws -- Makes hunting of Canada geese in Lauderdale County identical to season in Reelfoot Quota Zone. by *Crain.

Passed first consideration.

***House Bill No. 0942** -- Financial Disclosure -- Redefines "political campaign committee" to include individuals contributing over \$500. Amends TCA, Title 2, Ch. 10. by *Crain.

Passed first consideration.

House Bill No. 0943 -- Landlord and Tenant -- Broadens application of Landlord and Tenant Act. Amends TCA 66-28-102. by *Kernell.

Passed first consideration.

House Bill No. 0944 -- Public Service Commission -- Expands permissible number of radio common carrier operators per territory. Amends TCA, Title 65. by *Moore, *Pinion, *Crain, *Byrd, *Napier, Whitson.

Passed first consideration.

House Bill No. 0945 -- AIDS -- Requires HIV testing for certain persons. Amends TCA, Title 39, Ch. 13, Pt. 5. by *Moore, *Pinion.

Passed first consideration.

House Bill No. 0946 -- Insurance Companies, Agents, Brokers -- Requires certain notice for premium increase. Amends TCA, Title 56. by *Moore, *Pinion.

Passed first consideration.

House Bill No. 0947 -- Taxes, Motor Vehicle -- Permits wheel tax on horse drawn vehicles. Amends TCA, Title 5, Ch. 8; Title 7, Ch. 51; Title 55. by *Moore.

Passed first consideration.

House Bill No. 0948 -- Taxes, Privilege -- Levies tax on processing low level radioactive waste. Amends TCA, Titles 67, 68. by *Moore.

WEDNESDAY, FEBRUARY 13, 1991 -- NINTH LEGISLATIVE DAY

Passed first consideration.

House Bill No. 0949 -- Motor Vehicles, Titling and Registration -- Creates special license plates for combat veterans. Amends TCA, Title 55, Ch. 4, Pt. 2. by *Moore.

Passed first consideration.

House Bill No. 0950 -- Motor Vehicles -- Creates special license plates for retired members of U.S. Armed Forces. Amends TCA, Title 55, Ch. 4, Pt. 2. by *Moore.

Passed first consideration.

House Bill No. 0951 -- Highways, Roads and Bridges -- Removes exclusion of certain counties from County Uniform Highway Law. Amends TCA, Title 54, Ch. 7. by *Moore.

Passed first consideration.

House Bill No. 0952 -- Lewis County -- Requires purchases or contracts made by commissioners of highways which exceed \$2,500 subject to approval of advisory commission. Amends Chapter 395, Private Acts of 1937, as amended. by *Moore.

Passed first consideration.

House Bill No. 0953 -- Taxes, Real Property -- Assesses land for growing timber by commercial timber cutting companies at certain rate. Amends TCA, Title 67, Ch. 5, Pt. 8. by *Moore.

Passed first consideration.

House Bill No. 0954 -- Taxes, Real Property -- Removes land for growing timber by commercial timber cutting companies from greenbelt law. Amends TCA, Title 67, Ch. 5, Pt. 10. by *Moore.

Passed first consideration.

House Bill No. 0955 -- Taxes, Real Property -- Increases tax on certain property held by commercial timber cutting companies. Amends TCA, Title 67, Ch. 5, Pt. 8. by *Moore.

Passed first consideration.

House Bill No. 0956 -- Wills -- Designates "Tennessee Living Will Act" and "Tennessee Health Care Directives Act". Amends TCA, Title 32, Ch. 11; Title 34, Ch. 6. by *Holcomb.

Passed first consideration.

House Bill No. 0957 -- Sexual Offenses -- Requires DNA testing of certain sex offenders; provides for collection and analysis of DNA specimens. Amends TCA, Title 24, Ch. 7; Title 38, Ch. 6; Title

WEDNESDAY, FEBRUARY 13, 1991 -- NINTH LEGISLATIVE DAY

40, Ch. 35. by *Holcomb, *Callicott, *Hubbard, *Allen, *Walley, *Niceley, *Bivens, *Head, *Byrd, *Buck.

Passed first consideration.

House Bill No. 0958 -- Railroads -- Exempts certain railroad authority contracts from competitive bidding requirements. Amends TCA, Title 7, Ch. 56. by *Ridgeway, *Bivens, *Collier, *Curlee, *Davis Ray, *Moore, Robinson Robb.

Passed first consideration.

House Bill No. 0959 -- Alcoholic Beverages -- Authorizes "microbreweries" in Davidson and Shelby counties; allows certain manufacturers to operate restaurant and sell directly to retailers. Amends TCA 55-5-101. by *Williams K, *Kernell, *King, *Jones U, *Chumney, *Turner L, *Dixon, *Jones R, *Pruitt.

Passed first consideration.

House Bill No. 0960 -- Financial Disclosure -- Requires certain candidates and officials to disclose certain information to the registry of election finance. Amends TCA, Title 8, Ch. 50, Pt. 5. by *Williams K.

Passed first consideration.

House Bill No. 0961 -- County Officers -- Authorizes Shelby County to set fees charged by county officers. Amends TCA, Title 8, Ch. 21. by *Williams K.

Passed first consideration.

House Bill No. 0962 -- County Officers -- Authorizes Shelby County to set fees to be charged by county officers. Amends TCA, Title 8, Ch. 21. by *Williams K.

Passed first consideration.

House Bill No. 0963 -- Private Investigators -- Reduces maximum fee for license. Amends TCA, Title 62, Ch. 26, Pt. 2. by *Davis J K, *Williams M.

Passed first consideration.

House Bill No. 0964 -- Public Contracts -- Prohibits submission of price information by prospective provider of professional services in certain circumstances. Amends TCA, Title 12, Ch. 4. by *Davis J K.

Passed first consideration.

House Bill No. 0965 -- Banks and Financial Institutions -- Expands Financial Institutions Conversion Act to include savings

WEDNESDAY, FEBRUARY 13, 1991 -- NINTH LEGISLATIVE DAY

banks. Amends TCA, Title 45, Ch. 11. by *Rhinehart.

Passed first consideration.

House Bill No. 0966 -- Licenses -- Requires licensure of alarm contractors. Amends TCA, Title 62. by *Bivens.

Passed first consideration.

House Bill No. 0967 -- Railroads -- Requires telemetry devices on certain trains. by *Whitson.

Passed first consideration.

House Bill No. 0968 -- Public Defenders -- Authorizes positions for district public defenders in certain counties. Amends TCA, Title 8, Ch. 14. by *Buck.

Passed first consideration.

House Bill No. 0969 -- Public Defenders -- Requires assistant public defender salaries to be equal to compensation given to assistant district attorneys. Amends TCA, Title 8, Ch. 14. by *Buck.

Passed first consideration.

House Bill No. 0970 -- Public Defenders -- Removes appellate duties from district public defender; establishes appellate defender division. Amends TCA, Title 8, Ch. 14. by *Buck.

Passed first consideration.

House Bill No. 0971 -- Public Defenders -- Increases annual compensation for district public defenders. Amends TCA, Title 8, Ch. 14. by *Buck.

Passed first consideration.

House Bill No. 0972 -- Public Defenders -- Removes civil service status from public defenders. Amends TCA, Title 8, Ch. 30. by *Buck.

Passed first consideration.

House Bill No. 0973 -- Public Defenders -- Requires financially able defendants to pay for representation. Amends TCA, Title 8, Ch. 14. by *Buck.

Passed first consideration.

House Bill No. 0974 -- Public Defenders -- Requires candidates to disclose certain campaign contributions. Amends TCA, Title 2, Ch. 10. by *Buck.

WEDNESDAY, FEBRUARY 13, 1991 -- NINTH LEGISLATIVE DAY

Passed first consideration.

House Bill No. 0975 -- Taxes, Business -- Increases maximum capital amount used in business from \$2,500 to \$5,000 which exempts blind vendors from business tax. Amends TCA, Title 67, Ch. 4, Pt. 7. by *Buck.

Passed first consideration.

House Bill No. 0976 -- Judgments -- Requires judgment debtor's last known address on property lien. Amends TCA 25-5-101. by *Buck.

Passed first consideration.

House Bill No. 0977 -- Attorneys at Law -- Establishes allocation of attorneys' fees under certain circumstances. Amends TCA, Title 23, Ch. 2. by *Buck.

Passed first consideration.

House Bill No. 0978 -- Fiduciaries -- Increases maximum fees for guardian in certain situations. Amends TCA, Title 34. by *Buck.

Passed first consideration.

House Bill No. 0979 -- Contractors -- Makes general contractors provisions applicable statewide. Amends TCA 62-6-102. by *Kernell.

Passed first consideration.

House Bill No. 0980 -- Solid Waste Disposal -- Revises requirement relative to solid waste disposal. Amends TCA, Title 68, Ch. 31, Pt. 7; Title 68, Ch. 33. by *Jackson.

Passed first consideration.

House Bill No. 0981 -- Solid Waste Disposal -- Revises requirements relative to solid waste disposal. Amends TCA, Title 68, Chs. 31, 33. by *Jackson.

Passed first consideration.

House Bill No. 0982 -- Constitutional Conventions -- Calls constitutional convention on judiciary. by *Buck.

Passed first consideration.

House Bill No. 0983 -- Labor -- Revises membership of prevailing wage commission. Amends TCA 12-4-404. by *Odom.

Passed first consideration.

House Bill No. 0984 -- Salaries and Benefits -- Revises reports

WEDNESDAY, FEBRUARY 13, 1991 -- NINTH LEGISLATIVE DAY

to be used in determining average prevailing wage. Amends TCA 12-4-405. by *Odom.

Passed first consideration.

House Bill No. 0985 -- Medicare and Medicaid -- Establishes deadline for determination of payment to vendors. Amends TCA 71-5-130. by *Jackson.

Passed first consideration.

House Bill No. 0986 -- Hospitals and Health Care Facilities -- Clarifies insurer's duty to request information to pay assigned benefits. Amends TCA 68-11-219. by *Jackson.

Passed first consideration.

House Bill No. 0987 -- Deeds -- Limits application to certain counties of requirement that parcel identification number or affidavit be required on deeds. Amends TCA 66-24-122. by *Callicott.

Passed first consideration.

House Bill No. 0988 -- Water Resources -- Revises membership of Upper Duck River Development Agency. Amends TCA, Title 64, Ch. 1, Pt. 6. by *Callicott.

Passed first consideration.

House Bill No. 0989 -- Surveyors -- Repeals requirement that name, address and license number of surveyor appear on deeds to be recorded. Repeals TCA 66-24-121. by *Callicott.

Passed first consideration.

House Bill No. 0990 -- Physicians and Surgeons -- Extends board of medical examiners' reporting time regarding disciplinary actions from sixty to ninety days. Amends TCA, Title 63, Ch. 6. by *Duer.

Passed first consideration.

House Bill No. 0991 -- Physicians and Surgeons -- Extends license renewal time from sixty to ninety days. Amends TCA, Titles 63, 68. by *Chiles.

Passed first consideration.

House Bill No. 0992 -- Drugs -- Decreases time allowed wholesalers for reporting sale of controlled substances to drug enforcement agency from thirty to fifteen days. Amends TCA, Titles 53, 63. by *Crain.

Passed first consideration.

WEDNESDAY, FEBRUARY 13, 1991 -- NINTH LEGISLATIVE DAY

House Bill No. 0993 -- Physicians and Surgeons -- Prohibits use of title of physician or doctor by unlicensed person. Amends TCA, Title 63, Ch. 6, Pt. 2. by *Nuber.

Passed first consideration.

House Bill No. 0994 -- Health and Environment, Dept. of -- Removes ambulatory surgical treatment centers from facilities which require a certificate of need from health facilities commission. Amends TCA, Titles 4, 68. by *Nuber.

Passed first consideration.

House Bill No. 0995 -- Election Laws -- Expands eligibility for absentee voting. Amends TCA 2-6-102. by *Bivens.

Passed first consideration.

***House Bill No. 0996** -- Agriculture -- Enacts "Tennessee Aquaculture Policy Act of 1991". Amends TCA, Title 43. by *Curlee, *Davis Ray, *Givens, *McKee, *Walley, *Robinson Ruth, *Niceley, *Williams M.

Passed first consideration.

House Bill No. 0997 -- White Bluff -- Changes date of elections. Amends Chapter 257, Private Acts 1923, as amended. by *Jackson.

Passed first consideration.

House Bill No. 0998 -- Schools, Private -- Requires certain church related home schools to supply student information to department of education. Amends TCA 49-6-3050. by *Jackson.

Passed first consideration.

House Bill No. 0999 -- Henry County -- Prohibits members of county road commission from being employed by county highway department. Amends Chapter 326, Private Acts of 1972, as amended. by *Jackson.

Passed first consideration.

House Bill No. 1000 -- Ethics -- Prohibits acceptance of honoraria by public officials and employees. Amends TCA, Title 2, Ch. 10; Title 3, Ch. 6. by *Jackson.

Passed first consideration.

***House Bill No. 1001** -- Television, Cable -- Clarifies amusement tax exemption for basic rate cable television service. Amends TCA 67-6-212. by *Head, *Bragg, *Davidson, *Davis R E, *Kent, *Kisber, *Turner B, *Curlee.

WEDNESDAY, FEBRUARY 13, 1991 -- NINTH LEGISLATIVE DAY

Passed first consideration.

House Bill No. 1002 -- Television, Cable -- Authorizes civil penalties for theft of certain cable television services. Amends TCA 39-14-102, 104. by *Davidson, *Davis R E, *Rhinehart.

Passed first consideration.

House Bill No. 1003 -- Taxes, Gross Receipts -- Changes payment date on gross receipts tax. Amends TCA, Title 67, Ch. 4. by *Davidson.

Passed first consideration.

House Bill No. 1004 -- Conservation -- Changes date for determination of continuance of office for archaeological advisory council. Amends TCA, Title 4, Ch. 3, Pt. 5; Title 11. by *Bivens.

Passed first consideration.

House Bill No. 1005 -- Public Records -- Clarifies membership of county public records commissions; establishes centralized system of county archival record retention. Amends TCA, Title 10, Ch. 7. by *Hubbard.

Passed first consideration.

***House Bill No. 1006** -- Hazardous Materials -- Defines "owner or operator" for hazardous substance sites when governmental entity involved. Amends TCA 68-46-202. by *Hubbard.

Passed first consideration.

House Bill No. 1007 -- Witnesses -- Delays payment of witness compensation until taxed and paid into court as costs. Amends TCA 24-4-101. by *Williams K.

Passed first consideration.

House Bill No. 1008 -- Administrative Procedure -- Establishes hearing and notice requirements for administrative meetings. Amends TCA, Title 4, Ch. 5. by *Garrett.

Passed first consideration.

House Bill No. 1009 -- Hospitals and Health Care Facilities -- Establishes policies for admission to nursing facility. Amends TCA, Title 68, Ch. 11; Title 71, Ch. 5. by *Garrett.

Passed first consideration.

House Bill No. 1010 -- Hospitals and Health Care Facilities -- Establishes rules for assistant training certification; decreases

WEDNESDAY, FEBRUARY 13, 1991 -- NINTH LEGISLATIVE DAY

training required before employment. Amends TCA 68-11-209, 68-11-803. by *McDaniel.

Passed first consideration.

House Bill No. 1011 -- Hospitals and Health Care Facilities -- Establishes maximum civil monetary penalty against deficient nursing home; establishes daily penalty in certain circumstances. Amends TCA 68-11-801. by *McDaniel.

Passed first consideration.

House Bill No. 1012 -- Sunset Laws -- Adds professional counselors and marital and family therapists board to sunset review. Amends TCA, Title 4, Ch. 29. by *King, *Kernell, *DeBerry, *McAfee.

Passed first consideration.

***House Bill No. 1013** -- Solid Waste Disposal -- Authorizes cooperative plan. Amends TCA, Title 68, Ch. 31. by *Kisber.

Passed first consideration.

House Bill No. 1014 -- Taxes, Sales -- Authorizes tax on services. Amends TCA, Title 67. by *Kisber.

Passed first consideration.

House Bill No. 1015 -- Taxes -- Revises law concerning taxes. Amends TCA, Title 67. by *Kisber.

Passed first consideration.

House Bill No. 1016 -- Business and Commerce -- Increases damages for receipt of unlawful FAX transmissions from \$100 to \$200. Amends TCA, Title 47. by *Kisber.

Passed first consideration.

***House Bill No. 1017** -- Auctions and Auctioneers -- Increases minimum balance required to be maintained in auctioneer education and recovery account. Amends TCA, Title 62. by *Kisber.

Passed first consideration.

House Bill No. 1018 -- Telecommunications -- Enacts "Telephone Consumer Protection Act". Amends TCA, Title 65. by *Kisber.

Passed first consideration.

House Bill No. 1019 -- Municipal Government -- Revises mayor alderman form of municipal government. Amends TCA, Title 6, Chs. 1,

WEDNESDAY, FEBRUARY 13, 1991 -- NINTH LEGISLATIVE DAY

2, 6-18-103; Title 6, Ch. 54, Pt. 1. by *Kisber, *Cross, *Huskey, *Bittle, *Kent, *Davidson, *Stamps, *West, *Wix.

Passed first consideration.

House Bill No. 1020 -- Taxes -- Establishes maximum deduction for dealer's accounting costs. Amends TCA 67-6-509. by *Kisber.

Passed first consideration.

House Bill No. 1021 -- Apportionment, Legislative -- Shifts Warren County to 13th senatorial district and Marion and Sequatchie counties to 14th senatorial district. Amends TCA, Title 3, Ch. 1. by *Ridgeway.

Passed first consideration.

House Bill No. 1022 -- Apportionment, Legislative -- Transfers commission district 2 in Warren County from 37th to 43rd house district. Amends TCA, Title 3, Ch. 1. by *Ridgeway.

Passed first consideration.

House Bill No. 1023 -- Districting, Congressional -- Shifts Cheatham County from 7th to 5th congressional district. Amends TCA, Title 2, Ch. 16. by *Ridgeway.

Passed first consideration.

House Bill No. 1024 -- Election Laws -- Removes requirement of notice of purchaser on political advertising. Amends TCA, Title 2, Ch. 19. by *Wix.

Passed first consideration.

***House Bill No. 1025** -- Correctional Programs -- Authorizes commissioner to use inmate labor to construct prison facilities. Amends TCA, Title 41. by *Wix.

Passed first consideration.

House Bill No. 1026 -- Probation -- Prohibits use of department probation program for misdemeanants in certain counties. Amends TCA, Title 40. by *Wix.

Passed first consideration.

House Bill No. 1027 -- Jails, Local Lock-ups -- Enacts "Local Jail Overcrowding Emergency Powers Act of 1991". Amends TCA, Title 41. by *Wix.

Passed first consideration.

House Bill No. 1028 -- Bail, Bail Bonds -- Clarifies duration of

WEDNESDAY, FEBRUARY 13, 1991 -- NINTH LEGISLATIVE DAY

bail bond in criminal case. Amends TCA, Title 40, Ch. 11. by *Wix.

Passed first consideration.

House Bill No. 1029 -- Health -- Extends time period for notification of address change to health related boards. Amends TCA, Titles 56, 63, 68. by *Robinson Robb.

Passed first consideration.

House Bill No. 1030 -- Insurance, Health, Accident -- Requires that misrepresentation of insurance be both made with intent to deceive and increased risk of loss. Amends TCA, Title 56, Chs. 7, 32. by *Robinson Robb.

Passed first consideration.

House Bill No. 1031 -- Health -- Requires release of medical consultation reports upon proper request of patient. Amends TCA, Titles 63, 68. by *Robinson Robb.

Passed first consideration.

House Bill No. 1032 -- County Government -- Requires certain counties to adopt centralized accounting system. Amends TCA 5-8-101, 5-12-113, 5-13-110, 5-14-115. by *Rhinehart.

Passed first consideration.

BILLS WITHDRAWN

On motion of Rep. Whitson, **House Bill No. 938** was withdrawn from the House.

On motion of Rep. Bivens, **House Bill No. 694** was recalled from the Conservation and Environment Committee.

On motion of Rep. Bivens, **House Bill No. 694** was withdrawn from the House.

On motion of Rep. McAfee, **House Bill No. 560** was recalled from the Agriculture Committee.

On motion of Rep. McAfee, **House Bill No. 560** was withdrawn from the House.

On motion of Rep. McAfee, **House Bill No. 561** was recalled from the Conservation and Environment Committee.

WEDNESDAY, FEBRUARY 13, 1991 -- NINTH LEGISLATIVE DAY

On motion of Rep. McAfee, House Bill No. 561 was withdrawn from the House.

SENATE BILLS ON FIRST CONSIDERATION

On motion, the bills listed were introduced and passed first consideration:

***Senate Bill No. 0017** -- Utilities, Utility Districts -- Authorizes adoption of utility district purchasing procedures by water and wastewater treatment authorities. Amends TCA 68-13-607.

Passed first consideration.

***Senate Bill No. 0027** -- State Employees -- Prevents agency of state government from sanctioning certain employees.

Passed first consideration.

***Senate Bill No. 0052** -- Highway Signs -- Bledsoe Creek State Park. Amends TCA, Title 54, Ch. 5, Pt. 7.

Passed first consideration.

***Senate Bill No. 0094** -- Highway Signs -- Norris Lake, 1-75.

Passed first consideration.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk as noted:

***Senate Bill No. 0004** -- General Assembly -- Permits members to purchase special license plates for certain period. Amends TCA 55-4-225. (HB 0884).

Held pending third consideration of companion House Bill.

***Senate Bill No. 0009** -- Education -- Expands list of personnel authorized to suspend students. Amends TCA 49-6-3401. (HB 0785).

Held pending third consideration of companion House Bill.

***Senate Bill No. 0021** -- Motor Vehicles -- Enhances penalties for second and subsequent violations of the energy absorption system requirements. Amends TCA 55-9-215. (HB 0037).

Held pending third consideration of companion House Bill.

WEDNESDAY, FEBRUARY 13, 1991 -- NINTH LEGISLATIVE DAY

***Senate Bill No. 0022** -- Highway Signs -- "Purple Heart Highway," U.S. 70S in Warren County. (HB 0064).

Held pending third consideration of companion House Bill.

***Senate Bill No. 0033** -- Guardianship -- Revises certain provisions relative to guardians, their bonds and disposition of minor's funds. Amends TCA 34-1-102, 106, 34-2-106. (HB 1072)

Held pending third consideration of companion House Bill.

***Senate Bill No. 0036** -- Witnesses -- Delays payment of witness companionensation until taxed and paid into court as costs. Amends TCA 24-4-101. (HB 1007).

Held pending third consideration of companion House Bill.

***Senate Bill No. 0040** -- DUI/DWI Offenses -- Expands use of restricted driver license for DUI offender to include driving to and from alcohol safety program. Amends TCA 55-10-401. (HB 1193)

Held pending third consideration of companion House Bill.

***Senate Bill No. 0065** -- Wine, Wineries -- Allows wineries to give certain wine to not-for-profit organizations. Amends TCA 57-3-207. (HB 1217)

Held pending third consideration of companion House Bill.

Senate Bill No. 0096 -- Highway Signs -- Nashville School of Law, I-65. Amends TCA, Title 54, Ch. 5, Pt. 7. (*HB 0058).

Held pending third consideration of companion House Bill.

Senate Bill No. 0097 -- Surveyors -- Allows for establishment of continuing educational requiremets for surveyors. Amends TCA 62-18-106. (*HB 0028).

Held pending third consideration of companion House Bill.

***Senate Bill No. 0105** -- Driver Education -- Adds department of safety as driver training instructor certifiers. Amends TCA 55-50-304. (HB 0620).

Held pending third consideration of companion House Bill.

***Senate Bill No. 0112** -- Public Defenders -- Requires candidates to disclose certain campaign contributions. Amends TCA, Title 2, Ch. 10. (HB 0974).

Held pending third consideration of companion House Bill.

WEDNESDAY, FEBRUARY 13, 1991 -- NINTH LEGISLATIVE DAY

***Senate Bill No. 0117** -- Military -- Gives military reserve and national guard personnel tuition credit when called to active duty while attending state college or university. (HB 0411).

Held pending third consideration of companion House Bill.

***Senate Bill No. 0194** -- Criminal Offenses -- Makes vandalism or destruction of caves specific criminal offense. Amends TCA, Title 11, Ch. 5, Pt. 2. (HB 0203).

Held pending third consideration of companion House Bill.

***Senate Bill No. 0358** -- County Officers -- Abolishes office of considerationtable in Blount County. Amends TCA 8-10-101, 108, 39-6-616, 40-6-210, 55-8-152, 55-9-414, 57-5-202, 57-9-101. (HB 0454).

Held pending third consideration of companion House Bill.

SENATE BILLS ON SECOND CONSIDERATION

On motion, the Senate Bills listed passed second consideration and were referred to committee or held on the Clerk's desk as noted:

***Senate Bill No. 0053** -- Ethics -- Passed second consideration and referred to the State and Local Government Committee.

***Senate Bill No. 0125** -- Alcoholic Beverages -- Passed second consideration and referred to the State and Local Government Committee.

***Senate Bill No. 0130** -- Alcoholic Beverages -- Passed second consideration and held on Clerk's desk.

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred to committee or held on the Clerk's desk as noted:

House Bill No. 0870 -- Hickman County -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 0871 -- Architects and Engineers -- Passed second consideration and referred to the Commerce Committee.

House Bill No. 0872 -- Courts, General Sessions -- Passed second consideration and referred to the Judiciary Committee.

House Bill No. 0873 -- Traffic Safety -- Passed second consideration and referred to the Transportation Committee.

WEDNESDAY, FEBRUARY 13, 1991 -- NINTH LEGISLATIVE DAY

House Bill No. 0874 -- DUI/DWI Offenses -- Passed second consideration and referred to the Judiciary Committee.

House Bill No. 0875 -- Contractors -- Passed second consideration and referred to the Consumer and Employee Affairs Committee.

House Bill No. 0876 -- District Attorneys -- Passed second consideration and referred to the Judiciary Committee.

House Bill No. 0877 -- Pensions and Retirement Benefits -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0878 -- Alcoholic Beverages -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0879 -- Annexation -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0880 -- Annexation -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0881 -- Civil Procedure -- Passed second consideration and referred to the Judiciary Committee.

House Bill No. 0882 -- Taxes, Sales -- Passed second consideration and referred to the Finance, Ways and Means Committee.

House Bill No. 0883 -- Tort Liability -- Passed second consideration and referred to the Judiciary Committee.

House Bill No. 0884 -- General Assembly -- Passed second consideration and referred to the Transportation Committee.

House Bill No. 0885 -- Criminal Offenses -- Passed second consideration and referred to the Judiciary Committee.

***House Bill No. 0886** -- Sunset Laws -- Passed second consideration and referred to the Government Operations Committee.

***House Bill No. 0887** -- Sunset Laws -- Passed second consideration and referred to the Government Operations Committee.

***House Bill No. 0888** -- Sunset Laws -- Passed second consideration and referred to the Government Operations Committee.

***House Bill No. 0889** -- Sunset Laws -- Passed second consideration and referred to the Government Operations Committee.

***House Bill No. 0890** -- Sunset Laws -- Passed second

WEDNESDAY, FEBRUARY 13, 1991 -- NINTH LEGISLATIVE DAY

consideration and referred to the Government Operations Committee.

House Bill No. 0891 -- Corporations -- Passed second consideration and referred to the Commerce Committee.

House Bill No. 0892 -- Corporations -- Passed second consideration and referred to the Judiciary Committee.

House Bill No. 0893 -- Criminal Offenses -- Passed second consideration and referred to the Judiciary Committee.

House Bill No. 0894 -- Fees -- Passed second consideration and referred to the Judiciary Committee.

House Bill No. 0895 -- County Officers -- Passed second consideration and referred to the Judiciary Committee.

House Bill No. 0896 -- Insurance Companies, Agents, Brokers -- Passed second consideration and referred to the Commerce Committee.

House Bill No. 0897 -- Education -- Passed second consideration and referred to the Education Committee.

House Bill No. 0898 -- Teachers -- Passed second consideration and referred to the Education Committee.

House Bill No. 0899 -- Highways, Roads and Bridges -- Passed second consideration and referred to the Transportation Committee.

***House Bill No. 0900** -- Tobacco, Tobacco Products -- Passed second consideration and referred to the Agriculture Committee.

House Bill No. 0901 -- Highways, Roads and Bridges -- Passed second consideration and referred to the Transportation Committee.

House Bill No. 0902 -- District Attorneys -- Passed second consideration and referred to the Judiciary Committee.

House Bill No. 0903 -- Tennessee Housing Development Agency -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0904 -- Tennessee Housing Development Agency -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0905 -- Adoption -- Passed second consideration and referred to the Health and Human Resources Committee.

***House Bill No. 0906** -- General Assembly -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0907 -- Indigents -- Passed second consideration

WEDNESDAY, FEBRUARY 13, 1991 -- NINTH LEGISLATIVE DAY

and referred to the Health and Human Resources Committee.

House Bill No. 0908 -- Licenses -- Passed second consideration and referred to the Commerce Committee.

House Bill No. 0909 -- Workers' Compensation -- Passed second consideration and referred to the Consumer and Employee Affairs Committee.

House Bill No. 0910 -- Sunset Laws -- Passed second consideration and referred to the Government Operations Committee.

House Bill No. 0911 -- State Employees -- Passed second consideration and referred to the Education Committee.

House Bill No. 0912 -- Pensions and Retirement Benefits -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0913 -- Pensions and Retirement Benefits -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0914 -- Pensions and Retirement Benefits -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0915 -- University of Tennessee -- Passed second consideration and referred to the Education Committee.

House Bill No. 0916 -- Taxes -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0917 -- Taxes -- Passed second consideration and referred to the Finance, Ways and Means Committee.

House Bill No. 0918 -- Solid Waste Disposal -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0919 -- Hazardous Materials -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0920 -- Air Pollution -- Passed second consideration and referred to the Conservation and Environment Committee.

House Bill No. 0921 -- Hazardous Materials -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0922 -- Solid Waste Disposal -- Passed second consideration and referred to the State and Local Government Committee.

WEDNESDAY, FEBRUARY 13, 1991 -- NINTH LEGISLATIVE DAY

House Bill No. 0923 -- Mass Transit -- Passed second consideration and referred to the State and Local Government Committee.

**LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES
February 13, 1991**

In accordance with **Rule No. 48**, the following local bill(s), having received authorization for passage by the local legislative delegation, was/were transmitted to the Calendar and Rules Committee: House Bill(s) No(s). 817.

**REPORT OF COMMITTEE ON CALENDAR AND RULES
CONSENT CALENDAR
February 13, 1991**

MR. SPEAKER: The officers of your Calendar and Rules Committee report that we have set the following bill(s) and/or resolution(s) on the **Consent Calendar for Monday, February 18, 1991**: House Resolution(s) No(s). 3; House Joint Resolution(s) No(s). 72, 73, 76, 78, 80 and 84; House Bill(s) No(s). 817; also, Senate Joint Resolution(s) No(s). 79, 82 and 83.

PHILLIPS, Chair.

**REPORT OF CHIEF ENGROSSING CLERK
February 13, 1991**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolution(s) No(s). 24 and 26; for his action.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE
February 13, 1991**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 683; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

**ENROLLED BILLS
February 13, 1991**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report

WEDNESDAY, FEBRUARY 13, 1991 -- NINTH LEGISLATIVE DAY

that we have carefully compared House Bills(s) No(s). 683; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

SIGNED
February 13, 1991

The Speaker announced that he had signed the following: House Bill(s) No(s). 683.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

ENGROSSED BILLS
February 13, 1991

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Joint Resolution(s) No(s). 87; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE
February 13, 1991

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 87; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE
February 13, 1991

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 3, 61, 84, 106, 123, 164, 165 and 175; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

***Senate Bill No. 0003 -- Surveyors --** Repeals requirement that name, address and license number of surveyor appear on deeds to be recorded. Repeals TCA 66-24-121. by *Koella.

***Senate Bill No. 0061 -- Fairs --** Classifies state fairs by

WEDNESDAY, FEBRUARY 13, 1991 -- NINTH LEGISLATIVE DAY

county population for annual award purposes; provides for distribution of prize moneys. Amends TCA, Title 43, Ch. 21. by *Cooper

Senate Bill No. 0084 -- Election Laws -- Authorizes use of computerized printouts at polling places instead of duplicate registration records. Amends TCA 2-5-216. by *Albright, *Crutchfield.

***Senate Bill No. 0106** -- Civil Procedure -- Allows filing of court documents by facsimile transmission. by *Rochelle, *McKnight.

***Senate Bill No. 0123** -- General Assembly -- Prohibits purchase of office furniture. Amends TCA 12-2-418. by *Cohen.

Senate Bill No. 0164 -- Sunset Laws -- Extends termination date of department of safety. Amends TCA, Title 4, Chs. 3, 29; Title 55. by *Hicks.

Senate Bill No. 0165 -- Sunset Laws -- Extends termination date of department of conservation. Amends TCA, Title 4, Chs. 3, 29, 34; Title 11. by *Hicks.

Senate Bill No. 0175 -- Sunset Laws -- Extends termination date of board of ground water resources. Amends TCA, Title 4, Ch. 29; Title 69, Ch. 11. by *Hicks.

ROLL CALL

The roll call was taken with the following results:

Present 97

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.

On motion of Rep. Purcell, the House recessed until 9:00 a.m., Thursday, February 14, 1991.